

EDITORIAL

Leavitt should drop proposed health care rule

The U.S. Department of Health and Human Services under Secretary Mike Leavitt has proposed a rule that supposedly is to protect health care workers with moral objections to abortion

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The Bush administration is pushing forward with various rule changes to implement policy goals it could not get through Congress. The latest example is a proposed rule billed as a defense of conscience for health workers opposed to abortion.

The proposal by Secretary of Health and Human Services Mike Leavitt would allow those who work at a clinic or hospital that receives certain federal funds to refuse assignments that would aid abortion. Leavitt says that the proposed rule "is about the legal right of a health care professional to practice according to their conscience."

The rule looks like a back-door way to limit access to contraceptives, not to protect the moral sensibilities of some workers.

The problem: The proposed rule does not define abortion. So, depending on how broadly an individual wants to define it, abortion can include not just a doctor's active role in terminating a pregnancy but also the distribution of birth control pills, especially the so-called "morning after" pill.

For years, federal law has protected health workers who want nothing to do with abortion or sterilization, as well it should. Aborting a fetus is serious, and those who have moral objections to it should not be compelled to choose between helping a woman get an abortion or keeping their jobs.

But the proposed federal rule goes far beyond aborting fetuses. A doctor or nurse with a broad definition of what constitutes abortion, for example, might refuse to tell a rape victim about morning after pills. A women's health clinic that, among other things, provides oral contraceptives to patients could not decline to hire someone who sees them as a form of abortion and would refuse to do any clinic tasks involved in distributing them.

Planned Parenthood says the proposed rule would strike particularly hard at low-income women who are dependent on clinics that get federal assistance for their contraceptives. The organization also says the proposed rule conflicts with a federal law that guarantees that low-income women can at least get complete information about their options if they are pregnant, including their legally protected right to

choose abortion.

The administration acknowledges the widespread impact of the proposed rule, saying it could affect almost 600,000 hospitals, clinics, pharmacies and other entities.

Yet the proposed rule offers virtually no evidence there's a problem to be solved, saying only that the department "is concerned that the public and many health care providers are largely uninformed of the protections afforded to individuals and institutions" regarding the rights of moral objectors. Well, mail them a pamphlet.

The Department of Health and Human Services ought to drop the proposed rule and, if there really is a problem, leave it to Congress to solve.

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